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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,460	10/18/2005	Martin Baechle	PC10636US	6320
23122 7590 08/08/2007 RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980				
			EXAMINER HSIAO, JAMES K	
			ART UNIT 3683	PAPER NUMBER
			MAIL DATE 08/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/524,460	Applicant(s) BAECHLE ET AL.	
	Examiner James K. Hsiao	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/18/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/16/06 and 2/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Baechle et al. (US-6193031).

Regarding claim 7, Baechle et al. discloses A method for changing the pressure fluid of an electro hydraulic brake system, comprising a pedal-operated master brake cylinder and a brake circuit controlled by the master brake cylinder pressure, including a pump the intake side of which, by means of an intake conduit, is in communication with a pressure fluid reservoir, and a high-pressure accumulator as well as inlet and outlet valves for the wheel brakes connected to the brake circuit (abstract), with an inlet valve controlling the connection of the related wheel brake to the high-pressure accumulator, and an outlet valve controlling the connection of the related wheel brake to the pressure fluid reservoir by means of a non-pressurized return conduit (fig 4), and with the master brake cylinder being connected to the brake circuit by means of a cut-off valve inserted downstream of the inlet valves (fig 4), comprising at least the following steps: conventional change of the pressure fluid by repeated manual application of the brake pedal (abstract); activating the pump and delivering pressure fluid out of the reservoir; and connecting the inlet and outlet valves and the cut-off valve such that pressure fluid

is fed from the high-pressure accumulator either to the wheel bleeder connections or into the pressure fluid reservoir(fig 4).

Regarding claim 8, Baechle et al. discloses wherein fresh pressure fluid id replenishede by way of the pressure fluid reservoir while the process steps are performed (col. 2, lines 10-15).

Regarding claim 9, Baechle et al. discloses wherein the pump is clock actuated when the pressure fluid is supplied into the pressure fluid reservoir (fig 2, pump).

Regarding claim 10, Baechle et al. discloses wherein the outlet valves are clock actuated when the pressure fluid is supplied into the pressure fluid reservoir (fig 1-2).

Regarding claim 11, Baechle et al. discloses wherein the change of the pressure fluid is executed by means of the pump in the following sequence: delivering the pressure fluid by means of manual application of the brake pedal in the direction of the wheel bleeder connections; pressure fluid delivery by the pump also in the direction of the wheel bleeder connections; loading and unloading the accumulator in such a fashion that the pressure fluid is delivered in the direction of the wheel bleeder connections; loading and unloading the accumulator in such a fashion that the pressure fluid is delivered in the direction of the pressure fluid reservoir; pressure fluid delivery by the pump in the direction of the wheel bleeder connections (fig 4).

Regarding claim 12, Baechle et al. discloses wherein during a delivery of pressure fluid by way of the wheel bleeder connection of one wheel, pressure is applied to the other three wheel brakes by opening the associated inlet valves (col. 3), with the

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wheel brake pressures being measured and the determined pressure triplets being set into correlation to the operated inlet valves (fig 1).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Johnston, Sakamoto, Belhart, and Chichester all disclose methods for bleeding a hydraulic braking system but were not relied upon for the above rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James K. Hsiao whose telephone number is 571-272-6259. The examiner can normally be reached on Monday through Friday 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKH

DEVON C. KRAIER
PATENT EXAMINER

